

UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

United States Court of Appeals  
For the District of Columbia Circuit

Division for the Purpose of  
Appointing Independent Counsels

**FILED JUN - 2 2000**

**Special Division**

In re: Bruce Edward Babbitt

Division No. 98-1

**RESPONSE OF BRUCE BABBITT  
TO THE FINAL REPORT OF  
INDEPENDENT COUNSEL CAROL ELDER BRUCE**

As counsel to Secretary of the Interior Bruce Babbitt and on his behalf, we respectfully submit the following response to Independent Counsel Carol Elder Bruce's Final Report dated December 30, 1999, in *In re Bruce Edward Babbitt*, Division No. 98-1 ("Report"). We make this submission pursuant to the provisions of the Independent Counsel Statute, specifically, 28 U.S.C. § 594(h)(2).

The Independent Counsel's investigation was searching, objective and professional. The Report, for the most part, reflects those qualities. Secretary Babbitt of course agrees with the Report's ultimate conclusions that no prosecutions are warranted. His interest in the Report's analysis and its wording as they affect his reputation, however, is extremely high. It is from that perspective that we write to address the Report's conclusions, in particular the Report's analysis of Secretary Babbitt's testimony about his August 30, 1996, letter to Senator John McCain, in which, in our view, the Report fails to maintain its otherwise high standards of objectivity and thoroughness.